Remarks/Arguments

Claim Summary

By this Amendment, claims 1, 5 and 14 have been revised, and claims 6, 19 and 20 have been cancelled.

Claims 1-5 and 14-18 are now pending in the application.

35 U.S.C. ¶112, second paragraph

By this Amendment, the typographical error appearing the preamble of claim 14 has been corrected.

35 U.S.C. ¶102

Claims 1-4, 14-19 and 20 were rejected under 35 U.S.C. 102 as being anticipated by Nishitani et al. (US 6,850,214). Applicants respectfully traverse this rejection with respect to the now-pending claims.

Independent Claim 1

By this Amendment, the subject matter of original dependent claim 5[1] has been incorporated into independent claim 1. Thus, the rejection of claim 1 and its dependents under 35 U.S.C. 102 has been rendered moot.[2]

[1] Unlike original claim 5, amended claim 1 defines the "high brightness pixels" as those having gradation levels that are respectively larger than a default level.

[2] The rejection of original claim 5 (now amended claim 1) is discussed below in connection with the rejection under 35 U.S.C. ¶103.

Independent Claim 14

With respect to currently amended claim 14, the claimed invention now specifies that "the brightness distribution index is expressed as an equation of the brightness ranges indices multiplied by corresponding weighted numbers, the weighted numbers are generated based on the gradation ranges, and each of the weighted numbers is not less than 0". Nishitani et al. fails to teach or suggest at least this feature of claim 14..

That is, referring to column 8, lines 1-63 and column 9 lines 1-14 of Nishitani et al., the luminance average value detection section 201 for detecting the average luminance of the input video data comprises an m multiplier circuit 25, a 2*m multiplier circuit 36, an n*m multiplier circuit 37, an adder circuit 38, an n*m divider circuit 39 and an average luminance data hold latch 40. The number n represents the divisional number of entire input gradation regions and the number m represents the number of gradation in each of the divisional regions. Hence, each of the numbers n and m differ from the weighted number of claim 14. Furthermore, according to claim 14, the equation of the brightness ranges indices are multiplied by corresponding weighted numbers, and the weighted numbers are given based on the gradation ranges rather than divisional numbers and could be variable numbers ranging from 0 to a maximum default value. In contrast, the numbers n and m of Nishitani et al. are merely related to the divisional number and the sub-divisional number so that each of n and m is a constant and not equal to 0. Accordingly, the equation of Nishitani et al. for calculating luminance data (Y) to obtain an average luminance data substantially differs from the equation of the brightness ranges indices multiplied by corresponding weighted numbers directly.

For at least the reasons stated above, Applicants respectfully contend that claim 14, and the claims 15-18 dependent thereon, are not anticipated by Nishitani et al.

35 U.S.C. ¶103

Original claims 5 and 6 were rejected under 35 U.S.C. ¶103 as being unpatentable over Nishitani et al. in view of Sasaki (US 2005/0104838). Applicants respectfully traverse this rejection with respect to the now-pending claims.

As noted above, by this Amendment, the subject matter of original dependent claim 5 has been incorporated into independent claim 1.

According to the present invention as recited in independent claim 1, "the brightness distribution is calculated according to the percentage of high brightness pixels whose gradation levels are respectively larger than a default level, and the driving current is adjusted in terms of the percentage". Neither Nishitani et al. nor Sasaki teach or suggest at least this feature of claim 1.

Initially, it is noted that the Examiner has acknowledged that Nishitani et al. does not teach the afore-mentioned feature of claim 1.

Further, referring to paragraphs [0138-0141] of Sasaki, the brightness is the upper predetermined percent of pixel brightness obtained from a histogram of parameters that indicate the brightness of a video frame. It appears that the upper predetermined percent is directly obtained from the histogram. This is distinguished from claim 1 in which the gradation levels of the high brightness pixels are respectively larger than a default level.

For at least the reasons stated above, Applicants respectfully contend that claim 1, and the claims 2-5 dependent thereon, are not obvious in view of the teachings of Nishitani et al. and Sasaki.

Conclusion

No other issues remaining, reconsideration and favorable action upon the claims 1-5 and 14-18 now pending in the application are respectfully requested.

Respectfully submitted,

VOLENTINE & WHITT, PLLC

/Adam C. Volentine/

Adam C. Volentine
Reg. No. 33289

Customer No. 20987
Volentine & Whitt, PLLC
Suite 1260
11951 Freedom Drive
Reston, VA 20190
Tel. (571) 283-0720